

PROFESSIONAL LICENSURE DIVISION[645]

Adopted and Filed

Pursuant to the authority of Iowa Code section 152B.6, the Board of Respiratory Care hereby amends Chapter 261, "Licensure of Respiratory Care Practitioners," and Chapter 263, "Discipline for Respiratory Care Practitioners," Iowa Administrative Code.

The amendments remove the requirement for renewal notices to be sent by regular mail and clarify that conviction of a crime includes when the judgment of conviction or sentence was deferred.

Notice of Intended Action was published in the Iowa Administrative Bulletin as **ARC 9595B** on July 13, 2011. A public hearing was held on August 10, 2011, but no one attended. No public comments were received. These amendments are identical to those published under Notice.

The Board of Respiratory Care adopted the amendments on November 15, 2011.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code chapters 21, 147, 152B and 272C.

These amendments will become effective February 1, 2012.

The following amendments are adopted.

ITEM 1. Amend subrule 261.8(1) as follows:

261.8(1) The biennial license renewal period for a license to practice respiratory care shall begin on April 1 of an even-numbered year and end on March 31 of the next even-numbered year. ~~The board shall send a renewal notice by regular mail to each licensee at the address on record at least 60 days prior to the expiration of the license.~~ The licensee is responsible for renewing the license prior to its expiration. Failure of the licensee to receive the notice does not relieve the licensee of the responsibility for renewing the license.

ITEM 2. Amend subrule 263.2(11) as follows:

263.2(11) Conviction of a crime related to the profession or occupation of the licensee or the conviction of any crime that would affect the licensee's ability to practice within the profession, regardless of whether the judgment of conviction or sentence was deferred. A copy of the record of conviction or plea of guilty shall be conclusive evidence.

[Filed 11/30/11, effective 2/1/12]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 12/28/11.